

part 03 #15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Pednault, E.

Serial No.: 09/302,154

Group Art Unit: 3626

Filed: April 29, 1999

Examiner: Kapadia, M.

For: A METHOD FOR CONSTRUCTING SEGMENTATION-BASED PREDICTIVE
MODELS FROM DATA THAT IS PARTICULARLY WELL-SUITED FOR
INSURANCE RISK OR PROFITABILITY MODELING PURPOSES

Honorable Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C. F. R. §1.132

Sir:

Comes now the Declarant, Edwin P. D. Pednault, and states and avers the following:

(1) I am inventor of claims 1-20 of the above-referenced patent application and the sole inventor of the subject matter described and claimed therein.

(2) I have the following academic degrees: Ph.D. in Electrical Engineering (Stanford University); M.S. in Computer Science (Stanford University); and B.Eng. in Electrical Engineering (McGill University).

(3) I have written various academic and scientific papers in this art, including:

(a) E.P.D. Pednault, B.K. Rosen, C. Apte, "Handling Imbalanced Data Sets in Insurance Risk Modeling," AAAI Workshop on Learning from Imbalanced Data Sets, July 2000. (http://www.research.ibm.com/dar/papers/pdf/aaai2000_wkshp.pdf)

(b) C. Apte, E. Grossman, E. Pednault, B. Rosen, F. Tipu, and B. White, "Probabilistic Estimation-Based Data Mining for Discovering Insurance Risks," IEEE Intelligent Systems, Vol. 14, No. 6, pp. 49-58, 1999. (<http://www.research.ibm.com/dar/papers/pdf/upa-ieee-is-3.pdf>)

(c) C. Apte, E. Grossman, E. Pednault, B. Rosen, F. Tipu, and B. White, "Insurance Risk Modeling Using Data Mining Technology," in Proceedings of the Third International Conference on the Practical Application of Knowledge Discovery and Data Mining, April, 1999. (http://www.research.ibm.com/dar/papers/pdf/upa_padd99_tr.pdf)

(4) I am a co-inventor of US Patent 5,970,464 to Apte et al. This reference to Apte et al. is the only prior art reference currently cited by the Examiner in the above-referenced application.

(5) As a co-inventor of the aforementioned US Patent 5,970,464, and by reason of my expertise in this art, I hereby state that one of ordinary skill in this art would not consider the discussion in Apte as using "actual pure premium" in any manner as a "statistical constraint", as the term "statistical constraint" is utilized in the above-referenced patent application. However, while "pure premium" does have a clear and specific meaning in this art, the same cannot be said of "actual pure premium" (i.e., as discussed in the Response Under 37 CFR §1.116, in Apte, "the actual pure premium" means "the said predicted pure premium value", so the adjective "actual" as used in Apte is part of the sentence construction and does not refer to a particular kind of pure premium within this art).

(6) As a co-inventor of the aforementioned US Patent 5,970,464, and by reason of my expertise in this art, I further hereby state that one of ordinary skill in this art would understand the term "estimated pure premiums" to have a specific meaning in this art and that one of ordinary skill in the art would not consider the discussion in Apte as using "estimated pure premiums" in any manner as "statistical likelihood scores based on statistical models of insurance

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risk" (see Section 6B of the latest Office Action). Both terms have distinct specific meanings in this art.

(7) As a co-inventor of the aforementioned US Patent 5,970,464, and by reason of my expertise in this art, I further hereby state that one of ordinary skill in the art would not consider that the closed-loop method taught in the above-referenced patent application, described in the independent claims, and having the significance briefly described on page 34 of the specification of the above-referenced patent application, is present in the method described in the aforementioned US Patent 5,970,464.

VERIFICATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: 
Edwin P. D. Pednault

Date: 10/9/2003